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14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 MATT BINNER, individually

17 Plaintiff,

18 vs.

19 UNITED STATES OF AMERICA,

20 Defendant.

CASE NO.: 2:25-cv-00712-JAD-EJY

**STIPULATION AND ORDER TO STAY
DISCOVERY AND ALL CASE
DEADLINES PENDING THE COURT'S
RULING ON DEFENDANT'S MOTION
TO DISMISS [ECF 8]**

22 IT IS HEREBY STIPULATED by and between Plaintiff Matt Binner, through his
23 counsel of record Mysty Langford, Esq. of the Richard Harris Law Firm, and Defendant United
24 States of America by and through its counsel of record Gavin J. Hallisey, Esq., of the U.S.
25 Department of Justice, (collectively "Parties"), that all discovery and case deadlines be stayed
26 until the disposition of Defendant's pending motion to dismiss [ECF 8]. This stipulation is
27 submitted and based upon the following:

- 28 1. This is the Parties' first request for a stay of discovery.



- 1 2. On June 27, 2025, Defendant filed in motion to dismiss [ECF 8] (“Motion to
- 2 Dismiss”).
- 3 3. On July 10, 2025, Plaintiff filed his opposition and countermotion to amend
- 4 complaint [ECF 11].
- 5 4. On July 17, 2025, Defendant filed its reply in support of Motion to Dismiss [ECF 12].
- 6 5. The Motion to Dismiss remains pending before the Court.
- 7 6. The Parties acknowledge their obligations under Fed. R. Civ. P. 26 but agree that a
- 8 stay of discovery is appropriate until the Court rules on Defendant’s Motion to
- 9 Dismiss, which raises a statute of limitations defense under Fed. R. Civ. P. 12(b)(6).
- 10 7. In addition, given the pendency of Defendant’s Motion to Dismiss, the Parties desire
- 11 to avoid the time and expense of imminent discovery deadlines and to avoid
- 12 inefficiently using judicial resources on potentially unnecessary discovery disputes or
- 13 motion practice.
- 14 8. Courts in this District have recognized that a discovery stay is warranted where a
- 15 pending dispositive motion may resolve the action in its entirety or substantially
- 16 narrow the issues for discovery.
- 17 9. Accordingly, the Parties have agreed to stay all discovery and case deadlines until the
- 18 disposition of Defendant’s Motion to Dismiss in order to conserve the Parties’
- 19 resources and for the sake of judicial economy.
- 20 10. It is well recognized that “[c]ourts have broad discretion in managing their dockets.”
- 21 *Byars v. Western Best, LLC*, No. 2:19-CV-1690-JCM-DJA, 2020 WL 8674195, at *1
- 22 (D. Nev. Jul. 6, 2020), citing *Clinton v. Jones*, 520 U.S. 681, 706-07 (1997). In
- 23 exercising such discretion, “courts are guided by the goals of securing the just,
- 24 speedy, and inexpensive resolution of actions.” *Id.*; *see also* Fed. R. Civ. P. 1. The
- 25 Parties agree that good cause exists to stay discovery and all case deadlines while
- 26 Defendant’s Motion to Dismiss remains pending, which might effectively suspend or
- 27 dispose of this action or certain of Plaintiffs’ claims. *See Schrader v. Wynn Las*
- 28



1 *Vegas, LLC*, No. 2:19-cv-02159-JCM-BNW, 2021 WL 4810324, at *4 (D. Nev. Oct.
2 14, 2021); *Aristocrat Techs., Inc. v. Light & Wonder, Inc.*, No. 2:24-CV-00382-
3 GMN-MDC, 2024 WL 2302151, at *1 (D. Nev. May 21, 2024).

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5 11. Proceeding with discovery before Defendant’s Motion to Dismiss is resolved could
6 cause unnecessary expense to the Parties, particularly because this is a complicated
7 matter which may ultimately be consolidated with four other pending cases, and
8 which may clog the Court’s docket with potentially unnecessary discovery disputes or
9 motion practice.

10 12. Consistent with the foregoing, the Parties believe they will be in a better position to
11 resume discovery once Defendant’s Motion to Dismiss is resolved.

12 13. For all these reasons, the Parties believe it is in the interest of judicial efficiency and
13 economy to stay discovery and all case deadlines until the disposition of Defendant’s
14 Motion to Dismiss.

15 14. In the event that Defendant’s Motion to Dismiss is denied, the Parties will submit a
16 Discovery Plan and Scheduling Order (“DPSO”) within 14 days after Defendant files
17 its Answer. This DPSO set discovery or case deadlines pro rata from the date of the
18 Court’s ruling on Defendant’s Motion to Dismiss, or as the Parties may otherwise
19 agree or deem necessary.

20 15. The Parties further agree that they are not waiving, relinquishing, or otherwise
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1 impairing any claim, defense, or other right they may have by virtue of entering into
2 this Stipulation.

3 DATED this 17th day of September 2025.

 DATED this 18th day of September 2025.

4 **RICHARD HARRIS LAW FIRM**

U.S. DEPARTMENT OF JUSTICE

5
6 /s/ Mysty Langford

/s/ Gavin J. Hallisey

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 Attorney for Defendant

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15 **IT IS SO ORDERED.**

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19 **UNITED STATES MAGISTRATE JUDGE**

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21 **DATED:** September 18, 2025

RICHARD HARRIS
LAW FIRM